

COUNTY LIBRARIES (EXCERPT)
Act 138 of 1917

397.302 Library board; purpose; appointment and terms of members; voting; vacancy; expansion of board; board as body corporate; powers; cost of service.

Sec. 2. (1) To administer the county library fund, there shall be a library board consisting of 5 members appointed by the county board of commissioners for terms of 5 years each, except that the first members shall be appointed for 1, 2, 3, 4, and 5 years. In a county with a population of over 1,000,000, the superintendent of the intermediate school district serving the county, or, in a county with a population of over 1,500,000, his or her designee, shall be 1 of the members of the library board during the superintendent's term of office. Of the members appointed to the library board by the county board of commissioners in a county with a population of more than 700,000 but not more than 1,500,000, not more than 1 member may be a county commissioner, and that member shall have the same voting rights as other members of the library board.

(2) Except as otherwise provided in subsection (1), if a county commissioner is serving on a library board after the effective date of the 1999 amendatory act that added this sentence, all of the following apply:

(a) Those county commissioners serving on a library board may serve the remainder of their terms and may be reappointed to the library board.

(b) A county board of commissioners may appoint a county commissioner to fill a vacancy on the library board created by a county commissioner's departure from the board.

(c) If a county board of commissioners does not appoint a county commissioner to fill a vacancy created by a county commissioner's departure from the board, that board position occupied by the departing county commissioner shall not subsequently be occupied by a county commissioner.

(3) By resolution and only on the request of the county library board, the county board of commissioners in a county with a population of over 1,000,000 may expand the library board to 7 members. If the superintendent of the intermediate school district, or, in a county with a population of over 1,500,000, his or her designee, is serving on the library board when the board is expanded, the 2 additional members shall be appointed to terms that correspond to the term of the member replaced by the superintendent or the superintendent's designee.

(4) The board shall be a body corporate and shall be authorized to contract for the leasing, construction, or maintenance of buildings or quarters, including the acquisition of sites, to house the county library service, and to do any other thing necessary for the conducting of the county library service, the cost of the county library service to be a charge against the county library fund.

History: 1917, Act 138, Eff. Aug. 10, 1917;—CL 1929, 8085;—Am. 1937, Act 113, Imd. Eff. June 24, 1937;—Am. 1943, Act 206, Imd. Eff. Apr. 17, 1943;—CL 1948, 397.302;—Am. 1966, Act 67, Imd. Eff. June 9, 1966;—Am. 1974, Act 110, Imd. Eff. May 21, 1974;—Am. 1985, Act 191, Imd. Eff. Dec. 20, 1985;—Am. 1994, Act 77, Imd. Eff. Apr. 11, 1994;—Am. 1999, Act 48, Imd. Eff. June 15, 1999.